

Patrick E. Catalano, SBN 60774
Mark Adams Poppett, SBN 64939
CATALANO & CATALANO
655 W. Broadway, Suite 880
San Diego, CA 92101
Tel: (619) 233-3565
Fax: (619) 233-4891
Email: mark.poppett@legalcat.com

Attorneys for Petitioners
JOHN MONTGOMERY and NANCY MONTGOMERY

Thomas C. Nelson, SBN 82506
550 West C Street, Suite 1850
San Diego, CA 92101
Tel: (619) 236-1245
Fax: (619) 236-0230
Email: Tom@tcnlaw.com

Attorney for Debtor TESLA GRAY

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA**

In re TESLA GRAY,
Debtor.

) Case No: 08-10753-LA11
) Judge Louise DeCarl Adler
) Petition for Involuntary Chapter 11
)
) **JOINT MOTION FOR WITHDRAWAL**
) **OF DEBTOR'S OBJECTIONS TO**
) **INVOLUNTARY PETITION AND FOR**
) **ENTRY OF AN ORDER FOR RELIEF**
) **UNDER CHAPTER 11**
) **[11 U.S.C. §303]**
)
)
)

WHEREAS, debtor now is generally not able financially to pay debts as they become due;

WHEREAS, debtor now desires to withdraw her objections to the Petition for Involuntary Chapter 11 filed by Petitioners John Montgomery and Nancy Montgomery, and obtain relief from the Bankruptcy Court;

1 WHEREAS, the trial on the Petition for Involuntary Chapter 11 is presently scheduled to
2 take place in Department 2 of the above-entitled court at 10:00 a.m., on Wednesday, July 15,
3 2009,

4 NOW THEREFORE; Petitioners John Montgomery and Nancy Montgomery and
5 Respondent Tesla Gray, acting by and through their respective counsel of record, hereby
6 stipulate that:
7

8 1. Debtor Tesla Gray shall, and hereby does, withdraw her objections to the Petition
9 for Involuntary Chapter 11 filed by Petitioner;

10 2. Pursuant to Title 11, U.S.C. §303 an Order for Relief may be entered under the
11 United States Bankruptcy Code; and

12 3. The July 15, 2009 trial date on the Petition for Involuntary Chapter 11 may be
13 vacated.
14

15 IT IS SO STIPULATED.

16 CATALANO & CATALANO

17
18 Dated: July 14, 2009

By: 

Patrick E. Catalano
Mark Adams Poppett
Attorneys for Petitioners
JOHN MONTGOMERY and
NANCY MONTGOMERY

22 THOMAS C. NELSON, ATTORNEY AT
23 LAW

24
25 Dated: July __, 2009

By: _____

Thomas C. Nelson
Attorney for Debtor
TESLA GRAY

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Thomas C. Nelson
Attorney for Debtor
TESLA GRAY

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San Diego, CA 92101
Tel: (619) 233-3565
Fax: (619) 233-4891
Email: mark.poppett@legalcat.com

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U.S. BANKRUPTCY CT.
SO. DIST. OF CALIF

Attorneys for Petitioners
JOHN MONTGOMERY and NANCY MONTGOMERY

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA**

In re TESLA GRAY,) Case No: 08-10753-LA11
Debtor.) Petition for Involuntary Chapter 11
PROOF OF SERVICE

I, Janet Kohnenberger, declare:

I am employed in the County of San Diego, California. My business address is 655 West Broadway, Suite 880, San Diego, California 92101. I am over the age of eighteen years and am not a party to this action.

On July 14, 2009, caused to be served:

**JOINT MOTION FOR WITHDRAWAL OF DEBTOR'S OBJECTIONS TO
INVOLUNTARY PETITION AND FOR ENTRY OF AN ORDER FOR
RELIEF UNDER CHAPTER 11 [11 U.S.C. §303; and (PROPOSED)
ORDER**

in said cause via facsimile, and by placing true and correct copies thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States Mail at San Diego, California,

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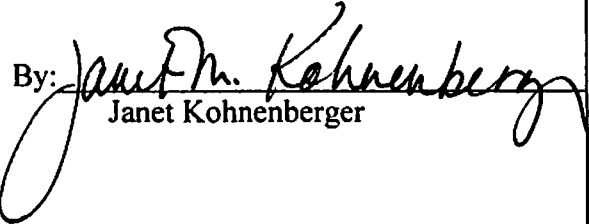
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1 addressed as follows:

2 **SEE ATTACHED SERVICE LIST**

3 I declare under penalty of perjury under the laws of these United States that the foregoing
4 is true and correct and that this declaration was executed on July 14, 2009, at San Diego,
5 California.

6 By: 
7 Janet Kohnenberger
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SERVICE LIST

CASE NAME: *In re Tesla Gray*
 COURT: United States Bankruptcy Court
 Southern District of California
 CASE NO: 08-10753-LA11

Thomas C. Nelson 550 West C Street, Suite 1850 San Diego, CA 92101 Tel: (619) 236-1245 Fax: (619) 236-0230 Tom@tcnlaw.com	Attorney for Debtor Tesla Gray
Christopher M. McDermott Pite Duncan, LLP 4375 Jutland Drive, Suite 200 P.O. Box 17933 San Diego, Ca 92177-0933 Tel: (858) 705-7600 Fax: (619) 590-1385 ecfcasb@piteduncan.com	Edward T. Weber Kathy Shakibi Routh Crabtree Olsen, P.S. 505 N. Tustin Avenue, Suite 243 Santa Ana, CA 92705 Tel: (714) 277-4803 Fax: (714) 277-4916 bknotice@rcolegal.com
John M. Sorich Alvarado & Associates, LLP 1 MacArthur Place, Suite 210 Santa Ana, CA 92707 Tel: (714) 327-4400 Fax: (714) 327-4499	Wayne R. Terry Hemar, Rousso & Heald, LLP 15910 Ventura Boulevard, 12 th Floor Encino, CA 91436 Tel: (818) 501-3800 wterry@hemar-rousso.com
CitiMortgage, Inc. P.O. Box 6941 The Lakes, NV 88901-6006	

Patrick E. Catalano, SBN 60774
Mark Adams Poppett, SBN 64939
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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA**

In re TESLA GRAY,
Debtor.

) Case No: 08-10753-LA11
)
) Petition for Involuntary Chapter 11
)
) **PROOF OF SERVICE**
)

I, Janet Kohnenberger, declare:

I am employed in the County of San Diego, California. My business address is 655 West Broadway, Suite 880, San Diego, California 92101. I am over the age of eighteen years and am not a party to this action.

On July 14, 2009, caused to be served Petitioners John and Nancy Montgomery's
**(PROPOSED) ORDER ON THE JOINT MOTION FOR WITHDRAWAL OF DEBTOR'S
OBJECTIONS TO INVOLUNTARY PETITION AND FOR ENTRY OF AN ORDER
FOR RELIEF UNDER CHAPTER 11 [11 U.S.C. §303]** in said cause by placing true and
correct copies thereof enclosed in a sealed envelope with postage thereon fully prepaid in the

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1 United States Mail at San Diego, California, addressed as follows: **SEE ATTACHED**
2 **SERVICE LIST**

3 I declare under penalty of perjury under the laws of these United States that the foregoing
4 is true and correct and that this declaration was executed on July 14, 2009, at San Diego,
5 California.

6 By: Janet M. Kohnenberger
7 Janet Kohnenberger
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SERVICE LIST

CASE NAME: *In re Tesla Gray*
 COURT: United States Bankruptcy Court
 Southern District of California
 CASE NO: 08-10753-LA11

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